Government of Kerala
1981

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVI] Trivandrum, Monday, 29th June 1981 / 8th Ashadha 1903 [No. 508

GOVERNMENT OF KERALA

Revenue (S) Department

NOTIFICATION

No. 34967/S2/81/RD

Dated, Trivandrum, 25th June 1981.

S. R. O. No. 762/81.—In exercise of the powers conferred by sub-section (2) of section 1 of the payment of Rajabhogam to Thekkemadom Swamiyar Mathapram (Abolition) Act, 1980 (15 of 1981), the Government of Kerala hereby appoint the 1st day of July, 1981, as the date on which the said Act shall come into force.

By order of the Governor,

V. Krishnamurthy,
Secretary.

33/2233/MC.

Explanatory Note

(This does not form part of the notification but is intended to bring out the main purport).

Under sub section (2) of section 1 of the Payment of Rajabhogam to Thekkemadom Swamiyar Mathapram (Abolition) Act 1980 it is laid down that the said Act shall come into force on such date as the Government may by notification in the Gazette appoint. This notification is to achieve that purpose.

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 5976/LA4/81. *Dated, Trivandrum, 29th June,* 1981.

The Wakf (Kerala Amendment) Bill, 1981 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

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33/2248/MC.

Sixth Kerala Legislative Assembly
Bill No. 78

THE WAKF (KERALA AMENDMENT) BILL, 1981

A

BILL

further to amend the Wakf Act, 1954, *in its application to the State of Kerala*

Preamble.—WHEREAS it is expedient further to amend the Wakf Act, 1954, in its application to the State of Kerala, for the purpose hereinafter appearing;

BE it enacted in the Thirty-second Year of the Republic of India as follows:

1. *Short title, extent and commencement.*—(1) This Act may be called the Wakf (Kerala Amendment) Act, 1981.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force at once.

2. *Amendment of section* 46.—In section 46 of the Wakf Act, 1954 (Central Act 29 of 1954), in the proviso to sub-section (1), for the words "one hundred rupees", the words "five hundred rupees" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

According to sub-section (1) of section 46 of the Wakf Act, 1954 (Central Act 29 of 1954), the Mutawalli of every wakf shall pay to the Wakf Board such contribution not exceeding six per cent of the net annual income accruing to the wakf as the Board may, subject to the sanction of the State Government, from time to time, determine. According to the proviso to that sub-section, no contribution shall be payable if the net annual income of the wakf does not exceed one hundred rupees.

2. In view of the great hardship experienced by the small wakfs in the State due to the levy of the annual contribution under sub-section (1) of section 46, the Kerala Wakf Board has requested the Government to exempt the wakfs in the State whose net annual income does not exceed five hundred

rupees, from payment of such annual contribution. It is considered that the request of the Board is reasonable and accordingly it is proposed to amend the Wakf Act, 1954, in its application to the State in order to exempt wakfs whose net annual income does not exceed five hundred rupees, from the liability to pay such contribution.

3. The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

P. M. ABUBACKER

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 6021/LA4A/81. *Dated, Trivandrum, 29th June,* 1981.

The Kerala State Housing Board (Amendment) Bill, 1981 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. Prasannan,

Secretary,

Legislative Assembly.

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33/2249/MC

Sixth Kerala Legislative Assembly

Bill No. 79

THE KERALA STATE HOUSING BOARD (AMENDMENT) BILL, 1981

A

BILL

to amend the Kerala State Housing Board Act, 1971.

Preamble.—WHEREAS it is expedient to amend the Kerala State Housing Board Act, 1971, for the purposes hereinafter appearing;

BE it enacted in the Thirty-second Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala State Housing Board (Amendment) Act, 1981.

(2) It shall be deemed to have come into force on the 7th day of May 1981.

2. *Amendment of section* 50.—In section 50 of the Kerala State Housing Board Act, 1971 (19 of 1971) (hereinafter referred to as the principal Act), in sub-section (2), for clause (a), the following clause shall be substituted namely:—

"(a) cause the said notice to be published in the Gazette or in two leading daily newspapers having wide circulation in the locality in which the area comprised in the schem e is situate, specifying the period upto which the objections will be receive and".

3. *Amendment of s*he Go2.—In section 52 of the principal Act, in sub-section (1), for the tate Tra rst published", the word "published" shall be substituted. it of India

riages;

4. *Repeal and* The Kerala State Housing Board (Amendment) Ordinance, 1981 (fore, the foll hereby repealed.

a propose to

(2) Notw conferred by ch repeal, anything done or any action taken under the princip es Act, 1939 nded by the said Ordinance shall be deemed to have been done o ation as requ he principal Act as amended by this Act.

ection.

STATEMENT OF OBJECTS AND REASONS

According to sub-section (2) of section 50 of the Kerala State Housing Board Act, 1971, a notice regarding any housing or improvement scheme framed by the Kerala State Housing Board, shall be caused to be published weekly for three consecutive weeks in the Gazette and in two leading daily newspapers in the State, specifying the period upto which the objections will be received. The requirement that the notice shall be published weekly for three consecutive weeks in the Gazette causes unnecessary delay in the finalisation of the schemes taken up by the Board. It was, therefore, considered necessary to amend sub-section (2) of section 50 of the Kerala State Housing Board Act, 1971, to provide for the publication of the notice in the Gazette or in two leading daily newspapers having wide circulation in the locality in which the area comprised in the scheme is situate. A Bill for the purpose was published as Sixth Kerala Legislative Assembly Bill No. 72, but it could not be introduced and passed during the last session of the Legislative Assembly.

As the proposal had to be given effect to immediately, the Kerala State Housing Board (Amendment) Ordinance, 1981 (2 of 1981), was promulgated by the Governor on the 6th day of May, 1981. The Bill seeks to replace the Ordinance by an Act of the State Legislature.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

E. CHANDRASEKHARAN NAIR